

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE  
COMMISSION,**

**Plaintiff,**

**v.**

**CELSIUS NETWORK LIMITED, et al.,**

**Defendants.**

**Civil Action No. 1:23-cv-6005**

**PLAINTIFF’S MOTION FOR ENTRY OF FINAL JUDGMENT  
AGAINST DEFENDANT CELSIUS NETWORK LIMITED**

Plaintiff Securities and Exchange Commission (“SEC”) respectfully requests that the Court enter the attached consented-to proposed Final Judgment against Defendant Celsius Network Limited (“Celsius”). In support of this motion, the SEC states as follows:

1. The SEC alleged in the Complaint that Celsius and its founder and former-CEO Alexander “Alex” Mashinsky violated certain provisions of the federal securities laws in connection with the company’s crypto asset security “CEL” and its Earn Interest Program.
2. The SEC and Celsius have been able to resolve the claims against the company without further Court intervention.
3. Specifically, as the attached Consent of Defendant Celsius reflects, Celsius agrees to the entry of the attached Final Judgment that:
  - a. permanently restrains and enjoins Celsius from violation of Section 5 of the Securities Act of 1933 (“Securities Act”) [15 U.S.C. § 77e];
  - b. permanently restrains and enjoins Celsius from violation of Section 17(a) of the Securities Act [15 U.S.C. § 77q(a)];

- c. permanently restrains and enjoins Celsius from violation of Section 10(b) of the Securities Exchange Act of 1934 (“Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5 thereunder [17 C.F.R. § 240.10b-5]; and
- d. permanently restrains and enjoins Celsius from violation of Section 9(a) of the Exchange Act [15 U.S.C. § 78i(a)].

4. As a result, the SEC respectfully asks the Court to enter the attached Final Judgment against Celsius.

5. The proposed Final Judgment as to Celsius is fair and reasonable and in the public interest. *See SEC v. Citigroup Glob. Markets, Inc.*, 752 F.3d 285, 294 (2d Cir. 2014).

6. The SEC’s claims against Defendant Mashinsky remain ongoing.

Dated: July 13, 2023

Respectfully submitted,

/s/ Harry B. Roback  
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Securities and Exchange  
Commission

**CERTIFICATE OF SERVICE**

I hereby certify that on July 13, 2023, I caused a copy of the foregoing Motion for Entry of Final Judgment Against Defendant Celsius Network Limited to be served on counsel through the Court's ECF system.

/s/ Harry B. Roback  
Harry B. Roback

Counsel for Plaintiff